

House Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 27

HOUSE BILL 2046

AN ACT

AMENDING SECTIONS 27-151, 27-152, 27-152.01 AND 27-152.02, ARIZONA REVISED STATUTES; REPEALING SECTION 41-3002.06, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3012.01; RELATING TO THE ARIZONA GEOLOGICAL SURVEY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 27-151, Arizona Revised Statutes, is amended to
3 read:

4 27-151. Arizona geological survey; state geologist; powers;
5 definition

6 A. The Arizona geological survey is established with offices located
7 in proximity to the university of Arizona in Tucson. The governor shall
8 appoint a state geologist, pursuant to section 38-211, to be the
9 administrative head of the Arizona geological survey and to serve at the
10 pleasure of the governor. The state geologist shall be registered as a
11 geologist by the state board of technical registration, a graduate of an
12 accredited institution and otherwise qualified by education and experience
13 TO DIRECT THE RESEARCH AND INFORMATION FUNCTIONS OF THE ARIZONA GEOLOGICAL
14 SURVEY.

15 B. The state geologist may organize the Arizona geological survey into
16 such administrative units, and employ such permanent, temporary, part-time
17 and volunteer professional and support staff, as necessary to achieve the
18 objectives and promote the policies prescribed by this article.

19 C. The state geologist may:

20 1. Retain the services of faculty members or students, and shall have
21 reasonable access to the data and other resources, of the university of
22 Arizona or any other state university in this state to conduct or supervise
23 research, experimentation or other related work of the Arizona geological
24 survey.

25 2. Organize field expeditions to perform work for the Arizona
26 geological survey using university students who are sufficiently advanced in
27 their study of geology to be able to perform satisfactory work.

28 3. Establish and appoint an advisory board consisting of independent
29 practicing geologists, university or college faculty, mining geologists and
30 others who use and rely on data, information and other services of the
31 Arizona geological survey.

32 D. The expenses of the Arizona geological survey shall be paid by
33 annual appropriation from the state general fund and as otherwise provided
34 by this article.

35 E. For purposes of this article, "mineral resources" means all
36 metallic, nonmetallic and energy resources, including coal, oil, natural gas,
37 geothermal resources, CARBON DIOXIDE and helium.

38 Sec. 2. Section 27-152, Arizona Revised Statutes, is amended to read:
39 27-152. Objectives of Arizona geological survey

40 The objectives of the Arizona geological survey are to:

41 1. Serve as a primary source of geologic information in this state TO
42 ENHANCE PUBLIC UNDERSTANDING OF THE STATE'S GEOLOGIC CHARACTER, GEOLOGIC
43 HAZARDS AND LIMITATIONS AND MINERAL RESOURCES.

1 2. Inform, ADVISE AND ASSIST the public in matters concerning the
2 geological environment PROCESSES, MATERIALS AND LANDSCAPES and the
3 development and use of the mineral resources of this state.

4 3. Encourage the wise use of the lands and mineral resources of this
5 state toward its development.

6 4. Provide technical advice and assistance in geology to other state
7 and local governmental agencies engaged in projects in which the geologic
8 setting, CHARACTER or the mineral resources of the state are involved.

9 5. Provide technical advice and assistance in geology to industry and
10 other members of the public toward the wise development and use of the
11 mineral and land resources of this state.

12 Sec. 3. Section 27-152.01, Arizona Revised Statutes, is amended to
13 read:

14 27-152.01. Duties of Arizona geological survey

15 The Arizona geological survey shall:

16 ~~1. Investigate, describe and interpret the geological setting of this~~
17 ~~state, including its natural hazards and limitations, its natural attributes~~
18 ~~and its mineral resources, specifically including:~~

19 ~~(a) Seismicity, ground subsidence and earth fissuring, landslide and~~
20 ~~other slope processes, fluvial geomorphic hazards, natural collapse and~~
21 ~~problem soils.~~

22 ~~(b) Stratigraphy, other geologic conditions and geochemistry affecting~~
23 ~~surface water and groundwater.~~

24 ~~2. Perform and archive original research to promote public~~
25 ~~understanding of this state's geologic resources and natural setting.~~

26 ~~3. Conduct research and development activities concerning the~~
27 ~~exploration for the mineral resources of this state.~~

28 ~~4. Solicit from professional geologists and local, state and federal~~
29 ~~governmental agencies references or bibliographic listings of nonproprietary~~
30 ~~geologic maps, reports and research performed in this state and publish a~~
31 ~~biennial bibliography of all geologic literature, mapping, graduate theses~~
32 ~~and other materials it receives on Arizona geology.~~

33 ~~5. Provide lectures, talks, displays and exhibits for the general~~
34 ~~education of the public, and workshops, aids, pamphlets and study guides for~~
35 ~~earth science teachers, in order to gain a better understanding of this state~~
36 ~~and the wise use of this state's land and its geological features and~~
37 ~~resources.~~

38 1. MAP AND DESCRIBE THE BEDROCK AND RELATED GEOLOGIC MATERIALS AND
39 PROCESSES IN ARIZONA, AS FOLLOWS:

40 (a) PREPARE GEOLOGIC MAPS THAT SHOW THE DISTRIBUTION OF ROCK
41 FORMATIONS AND SURFICIAL MATERIALS AT THE SURFACE AND IN THE SUBSURFACE.

42 (b) DESCRIBE THE CHARACTER OF ROCK AND SURFICIAL MATERIALS, INCLUDING
43 THEIR AGE, ORIGIN AND PHYSICAL AND CHEMICAL PROPERTIES.

44 (c) MAP, DESCRIBE AND MONITOR KNOWN AND POTENTIAL GEOLOGIC HAZARDS AND
45 LIMITATIONS TO LAND AND RESOURCE MANAGEMENT.

1 (d) MAP AND CHARACTERIZE ENERGY AND MINERAL RESOURCES AND IDENTIFY
2 AREAS THAT MAY HAVE POTENTIAL FOR FUTURE DISCOVERIES.

3 2. PROVIDE OBJECTIVE, SCIENTIFIC INFORMATION ABOUT THE GEOLOGIC
4 CHARACTER OF THIS STATE AS FOLLOWS:

5 (a) PROVIDE TIMELY, COURTEOUS RESPONSE TO REQUESTS FOR INFORMATION,
6 ADVICE AND ASSISTANCE FROM THE PUBLIC.

7 (b) MAINTAIN A COMPUTERIZED BIBLIOGRAPHIC DATABASE OF MAPS AND REPORTS
8 ON THE GEOLOGY OF THIS STATE THAT IS ACCESSIBLE TO THE PUBLIC.

9 (c) MAINTAIN AN INTERNET WEB SITE THAT INCLUDES INFORMATION ABOUT THE
10 ARIZONA GEOLOGICAL SURVEY, PRODUCTS AND SERVICES AVAILABLE AND THE GEOLOGIC
11 CHARACTER OF THIS STATE.

12 (d) GIVE LECTURES AND TALKS, CONDUCT WORKSHOPS, LEAD FIELD TRIPS AND
13 PROVIDE INFORMATION AND ASSISTANCE TO PUBLIC, EDUCATIONAL AND PROFESSIONAL
14 GROUPS.

15 (e) PUBLISH REPORTS AND OTHER INFORMATION, WRITTEN IN NONTECHNICAL
16 TERMS, TO INFORM THOSE NOT TRAINED IN GEOLOGY ABOUT THE GEOLOGIC CHARACTER
17 OF ARIZONA.

18 ~~6.~~ 3. Operate and maintain a central repository and a computerized
19 database for reports, books, maps and other publications regarding the
20 geology, mineral resources and associated technologies ~~present or practiced~~
21 ~~in this state.~~ Such repository and database shall be available for the use
22 of the public and may be located at or connected with the university of
23 Arizona or another state university or agency of this state.

24 ~~7.~~ 4. Operate and maintain a central repository for rock cores, well
25 cuttings and related subsurface samples and all associated supplemental data
26 consistent with the laws of this state requiring the deposit of such material
27 and information. Such repository shall be available for the use of the
28 public.

29 ~~8.~~ 5. Receive and expend any monies arising from grants, contracts,
30 contributions, gratuities or reimbursements payable or distributable to this
31 state from the United States, or from state, county, municipal or other
32 governmental sources. The Arizona geological survey shall also receive and
33 expend any monies arising from grants, contracts, contributions, gratuities
34 or reimbursements donated by private persons or corporations. Monies
35 received pursuant to this paragraph shall be deposited in the geological
36 survey fund and handled pursuant to section 27-152.02.

37 ~~9.~~ 6. Contract and be contracted with.

38 ~~10.~~ 7. Utilize the services and expertise of the universities of the
39 state at the discretion of the state geologist.

40 ~~11.~~ 8. Cooperate with local, county, state and federal agencies.

41 9. PROVIDE ADMINISTRATIVE AND STAFF SUPPORT FOR THE ARIZONA OIL AND
42 GAS CONSERVATION COMMISSION.

1 Sec. 4. Section 27-152.02, Arizona Revised Statutes, is amended to
2 read:

3 27-152.02. Powers and duties of state geologist

4 A. The state geologist shall:

5 1. Establish such administrative functions and offices as necessary
6 to achieve the purposes of this article.

7 2. Prescribe the number and professional disciplines of the technical
8 staff and their office and laboratory associates.

9 3. Direct the work of the Arizona geological survey and the
10 formulation of its program and policies.

11 4. Adopt such rules as are necessary to carry out the purposes of this
12 article.

13 5. Purchase or lease necessary office and laboratory equipment and
14 acquire facilities from the state or lease necessary office and laboratory
15 space.

16 6. Apply for and accept gifts, bequests or legacies of real or
17 personal property or any other contribution, financial or otherwise, for use
18 pursuant to the direction of the donor or, in the absence of an express
19 direction, to be disposed of for the best interests of this state. The state
20 geologist shall honor any restriction imposed by the donor on divulging
21 contributed information or tangible personal property.

22 7. Accept from the federal, state and local governments or their
23 agencies monies made available to this state for the purposes of this
24 article.

25 8. Enter into cooperative agreements with federal, county or municipal
26 governments or their agencies or with any agency or governmental unit
27 established by the law of this or any other state for the purpose of carrying
28 out the provisions of this article.

29 9. Contract with persons and organizations, public or private, to
30 provide services for the Arizona geological survey.

31 10. Appoint a person with a background in oil and gas conservation to
32 act on behalf of the oil and gas conservation commission and administer and
33 enforce the applicable provisions of chapter 4 of this title relating to the
34 oil and gas conservation commission.

35 B. THE STATE GEOLOGIST OR THE GEOLOGIST'S DESIGNEE, AT ANY TIME, MAY
36 ENTER THE PROPERTY AND INSPECT WELLS DRILLED FOR OIL, GAS, GEOTHERMAL
37 RESOURCES, HELIUM OR CARBON DIOXIDE AND SHALL CONTROL PROPERTY, MACHINERY AND
38 APPLIANCES NECESSARY TO GAUGE THE WELLS.

39 ~~B.~~ C. A geological survey fund is established for the purposes
40 provided in this article consisting of appropriations and all monies received
41 pursuant to this section and sections 27-152.01, 27-153 and 27-515. Monies
42 shall be separately accounted for and used as a continuing appropriation by
43 the state geologist for the purposes provided from each source. Monies in
44 the fund are exempt from the provisions of section 35-190 relating to lapsing
45 of appropriations.

1 Section 5. Repeal

2 Section 41-3002.06, Arizona Revised Statutes, is repealed.

3 Sec. 6. Title 41, chapter 27, article 2, Arizona Revised Statutes, is
4 amended by adding section 41-3012.01, to read:

5 41-3012.01. Arizona geological survey; termination July 1, 2012

6 A. THE ARIZONA GEOLOGICAL SURVEY TERMINATES ON JULY 1, 2012.

7 B. TITLE 27, CHAPTER 1, ARTICLE 4 IS REPEALED ON JANUARY 1, 2013.

8 Sec. 7. Intent

9 Pursuant to section 41-2955, subsection B, Arizona Revised Statutes,
10 the legislature continues the Arizona geological survey to assist the wise
11 use of lands and mineral resources in this state by providing scientific and
12 investigative research and information for use by the legislature,
13 governmental agencies, industries and the public.

14 Sec. 8. Retroactivity

15 Sections 5 and 6 of this act are effective retroactively to July
16 1, 2002.

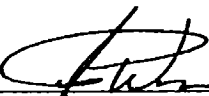
APPROVED BY THE GOVERNOR APRIL 16, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 16, 2002.

Passed the House February 4, 2002,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

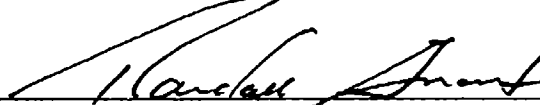

Speaker of the House

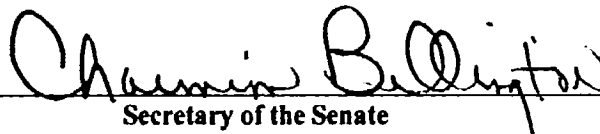

Chief Clerk of the House

Passed the Senate April 10, 2002

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting


President of the Senate

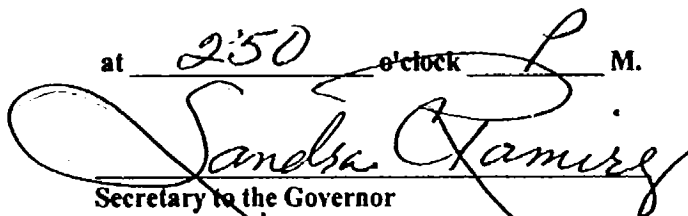

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

11 day of April, 2002

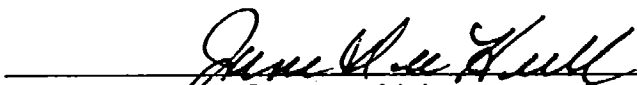
at 2:50 o'clock P M.


Secretary to the Governor

Approved this 16th day of

April, 2002,

at 12:28 o'clock A M.


Governor of Arizona

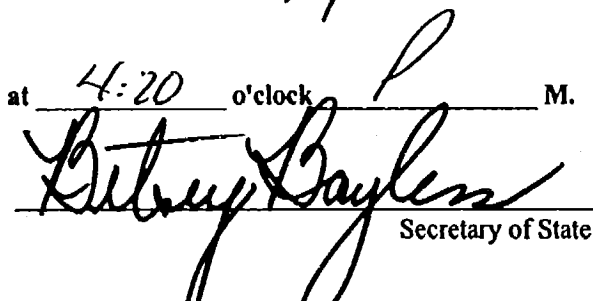
H.B. 2046

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 16 day of April, 2002

at 4:20 o'clock P M.


Secretary of State